

REMARKS

This amendment responds to the office action mailed October 1, 2004. In the office action the Examiner:

- rejected claims 1-64 under 35 U.S.C. 103(a) as being obvious by Logan et al. (US 5,761,683) in view of van Hoff (U.S. 5,822,539).

After entry of this amendment, the pending claims are: claims 65-101. The total number of pending claims is 36.

Overview of Changes to Claims

Claims 1-64 have been cancelled without prejudice. Claims 65-101 have been added. Support for these claims is found in the specification in the discussion of Figs. 1 and 2 (p. 7, line 22 through p. 14, line 27) and on p. 14, line 28 through p. 15, line 26). Therefore, the new claims do not introduce new matter.

Information Disclosure Statement

An Information Disclosure Statement under 37 CFR 1.97(c)(2) is enclosed. The Commissioner is hereby authorized to charge fee of \$180.00 per 37 CFR 1.17(p) to the Morgan, Lewis & Bockius LLP Deposit Account.

35 USC 103(a) Rejections

Claims 1-64 were rejected under 35 U.S.C. 103(a) as being obvious by Logan et al. (US 5,761,683) in view of van Hoff (U.S. 5,822,539). The Applicants disagree and traverse.

Claims 1-64 have been cancelled without prejudice in the present reply. Potential concerns raised by the Examiner regarding 37 CFR 1.111(b) and 37 CFR 1.111(c) with respect to claims 18-64 are therefore no longer relevant.

The Applicants note that pending claims 65-95 contain the limitation of filtering content based on a user profile containing medical information. Logen et al. and van Hoff, either alone or in combination, do not disclose or suggest this limitation. As such, the Applicants believe that pending claims 65-95 are contain patentable subject matter with respect to the prior art of record. Removal of this ground for rejection is requested.

Prior Art Made of Record


The Examiner indicates that there is prior art not made of record that is considered pertinent to the present application. Under 37 CFR 1.111(b), "(t)he reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references" (emphasis added). It is respectfully noted that the Office Action did not apply any of the aforementioned references to any of the pending claims.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at 650-843-7504, if a telephone call could help resolve any remaining items.

Date: April 1, 2005

Respectfully submitted,


Craig P. Opperman
~~Morgan, Lewis & Bockius~~.LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, California 94306
(650) 843-4000

37,078
(Reg. No.)